

PROB 12C
(7/93)

United States District Court

Report Date: May 30, 2012
FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

MAY 30 2012

Eastern District of Washington

JAMES R. LARSEN, CLERK
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Asis F. Rosalez

Case Number: 2:04CR00137-001

Address of Offender: **Spokane, WA 99207 (Last known)**

Name of Sentencing Judicial Officer: The Honorable Lanny R. Suko, U.S. District Judge

Date of Original Sentence: 3/15/2005

Original Offense: Possession With Intent to Distribute Methamphetamine, 21 U.S.C. § 841(a)(1); Possession of a Firearm in Furtherance of a Drug Trafficking Offense, 18 U.S.C. § 924

Asst. U.S. Attorney: Pamela J. Beverly **Date Supervision Commenced:** 10/28/2011

Defense Attorney: Roger Peven **Date Supervision Expires:** 10/27/2017

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number **Nature of Noncompliance**

1 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

2 **Supporting Evidence:** Mr. Rosalez has failed to follow the instructions of the undersigned officer by failing to report for a scheduled appointment on May 21, 2012, at 9:30 a.m. Further, he was subsequently directed to report to the U.S. Probation Office on May 22, 2012, at 10:00 a.m. He again failed to report as directed. Mr. Rosalez was left a voice message instructing him to report to the U.S. Probation Office on May 25, 2012, at 2:00 p.m. Again, he failed to follow the instructions of the undersigned officer. Mr. Rosalez is currently homeless, and his whereabouts are unknown.

2 **Special Condition # 15:** You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

Prob12C

Re: Rosalez, Asis F

May 30, 2012

Page 2

Supporting Evidence: Mr. Rosalez is currently enrolled at Pioneer Counseling for intensive outpatient drug treatment. He failed to attend scheduled drug treatment on May 22 and 23, 2012. Mr. Rosalez was last seen at drug treatment May 21, 2012. He is currently considered noncompliant with his treatment requirements.

3 **Special Condition #16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer.

Supporting Evidence: Mr. Rosalez submitted to drug testing at Pioneer Counseling on May 17 and 21, 2012. Both tests resulted in presumptive positive findings for methamphetamine. Mr. Rosalez was scheduled to report for drug testing on May 25, 2012, however, he failed to appear.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 05/30/2012

s/Matthew L. Thompson

Matthew L Thompson
Supervising U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other

h. Dinkins

Signature of Judicial Officer

5/30/12

Date